



AGENDA
PLAN COMMISSION MEETING
RICHFIELD VILLAGE HALL
4128 HUBERTUS ROAD, HUBERTUS, WISCONSIN
NOVEMBER 1, 2012
7:30 P.M.

1. Call to Order/determination of quorum
2. Verification of Open Meetings Law compliance
3. Pledge of Allegiance
4. Approval of Minutes
 - a. October 4, 2012 - Regular Meeting
 - b. October 17, 2012- Special Meeting
5. PUBLIC HEARING
 - a. Discussion and recommendation to the Village Board regarding a Conditional Use application submitted by Mr. Charles and Janene Kluever for the installation ground-mounted solar panel arrays at 275 Sherman Road (Tax Key: V10-1234-00A) (application 2012-10-1)
 - b. Discussion and recommendation to the Village Board regarding a Conditional Use application submitted by Mrs. Kristine Jacklin on behalf of Ms. Mary Anderson for the seasonal establishment or operations for the retail sale of vegetables, other selected farm or agricultural projects, crafts and similar items at 4958 STH 167 (Tax Key: V10-0152) (application 2012-10-2)
6. DISCUSSION/ACTION ITEMS
 - a. Discussion and possible action regarding a Site, Building and Plan of Operation for a vertical colocation of an existing cell phone tower, located at 1101 STH 164 (Tax Key: V10-0785-00A), NTP Wireless (application 2012-10-3)
7. Adjournment

Additional explanation of items on the agenda (Communication Forms) can be found on the village's website at www.richfieldwi.gov. Notification of this meeting has been posted in accordance with the Open Meeting Laws of the State of Wisconsin. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Clerk's office at 628-2260 with as much advance notice as possible.

1. Call to order/determination of quorum

Chairman Jim Otto called the meeting to order at 7:30 p.m. In attendance were Commissioners, Klug, Bartel, Berghammer, Lalk, Melzer, Trustee Dan Neu, Village Administrator Schoemann, Assistant to the Village Administrator Healy, and Consultant Planner Schwecke.

2. Verification of Open Meetings Law compliance

Assistant to the Village Administrator Healy stated that the agendas were posted at the Richfield, Hubertus, and Colgate U.S. Post Offices as well as at Village Hall.

3. Pledge of Allegiance

4. Approval of Minutes

a. September 6, 2012 – Regular Meeting

Motion by Commissioner Bob Lalk to approve the minutes of the regular September 6, Plan Commission meeting as drafted; Seconded by Commissioner Dick Melzer; Motion passed without objection.

5. Discussion/Action Items:

a. Discussion regarding 2012 Community Build-out Analysis, Trilogy Consulting

Christy Cramer of Trilogy Consulting gave an overview of her firm's methodology to this build-out analysis, and the scope of their services.

b. Discussion and possible recommendation to the Village Board regarding an amendment to the Master Grading/Erosion Control Plan and Landscaping Plan for Reflections Village Subdivision, Robert and Caryl Parchem, applicant (application 2012-9-1)

Motion by Commissioner Bob Lalk to recommend denial to the Village Board for the proposed amendment to the Master Grading and Erosion Plan as well as the Landscaping Plan for Reflections Village; Seconded by Commissioner Kurt Bartel; Motion passed 6-1, with Vice-Chairman Klug opposed.

c. Discussion and possible recommendation to the Village Board regarding a final Certified Survey Map (CSM) review for Robert and Linda Phillips, 4032 Woodside Lane (Tax Key: V10-0836-053)(application 2012-10-1)

Motion by Trustee Dan Neu to recommend to the Village Board the approval for the Certified Survey Map as submitted for the property owned by Robert and Linda Phillips at 4032 Woodside Lane (Tax Key: V10-0836-053); Seconded by Vice Chairman Jeff Klug; Motion passed without objection.

- d. **Discussion and possible recommendation to the Village Board regarding an extraterritorial Certified Survey Map (CSM) review for Peter and Sandra Skodras, N88W22418 N. Lisbon Road; Town of Lisbon (application 2012-10-2)**

Motion by Vice Chairman Jeff Klug to recommend to the Village Board the approval of the proposed CSM for Peter and Sandra Skodras as prepared by Richard Simon on September 11, 2012 in the Town of Lisbon, provided all necessary approvals are earned by the petitioners; Seconded by Commissioner Dick Melzer; Motion passed 6-1, Commissioner Lalk opposed.

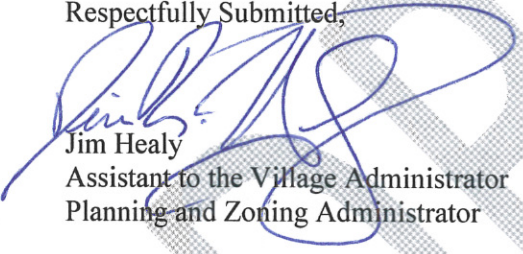
- e. **Discussion and possible action regarding a Site, Building, and Plan of Operation for a vertical colocation of an existing cell phone tower, located at 1101 STH 164 (Tax Key: V10-0785-00A), InSite, Inc. (application 2012-10-3)**

Motion by Vice Chairman Jeff Klug to approve the proposed Site Plan for the Wireless Communication Facility located at 1101 STH 164 (Tax Key: V10-0785-00A), to include three (3) antennas and six (6) coax to be installed on the Verizon Wireless section of the tower at the height of 145.6'; Seconded by Commissioner Don Berghammer; Motion passed without objection, Trustee Dan Neu abstained.

6. Adjournment

Motion by Vice Chairman Jeff Klug to adjourn; Seconded by Commissioner Dick Melzer; Motion passed without objection at approximately 8:41 p.m.

Respectfully Submitted,



Jim Healy
Assistant to the Village Administrator
Planning and Zoning Administrator

1. Call to order/determination of quorum

Chairman Jim Otto called the special meeting to order at 7:35 p.m. In attendance were Commissioners Berghammer, Lalk, Melzer, Trustee Dan Neu, Village Administrator Schoemann and Assistant to the Village Administrator Healy.

Vice-Chairman Klug and Commissioner Bartel, both had excused absences.

2. Verification of Open Meetings Law compliance

Assistant to the Village Administrator Healy stated that the agendas were posted at the Richfield, Hubertus, and Colgate U.S. Post Offices as well as at Village Hall.

3. Pledge of Allegiance

4. Joint Discussion with the Village Board regarding the 'Community Buildout Analysis'

Christy Cramer of Trilogy Consulting gave an overview of the proposed analysis and the scope of services being offered.

5. Discussion/Action Items:

a. Discussion regarding potential land use models for 'NE Corridor' of the Village

The Plan Commission took part in an exercise involving various land use scenarios.

6. Adjournment

Motion by Trustee Dan Neu to adjourn; Seconded by Commissioner Dick Melzer; Motion passed without objection at approximately 9:50 p.m.

Respectfully Submitted,



Jim Healy

Assistant to the Village Administrator
Planning and Zoning Administrator



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM
MEETING DATE: October 4, 2012

SUBJECT: Conditional Use Application to establish a ground-mounted solar panel array at 275 Sherman Road (Tax Key: V10-1234-00A); Mr. Charles and Janene Kluever, applicants

DATE SUBMITTED: October 23, 2012

SUBMITTED BY: Jim Healy, Assistant to the Administrator

ISSUE SUMMARY:

Mr. Charles and Janene Kluever submitted a Conditional Use Application pursuant to Section 70.301(E)(2) of the municipal code to establish a ground-mounted solar panel array on their property at 275 Sherman Road (Tax Key: V10-1234-00A). The Village scheduled a formal Public Hearing in the *West Bend Daily News* with dates of publication occurring on October 18th and 25th, respectively. Notification was also sent to everyone with 300' of the property boundary lines.

The array consists of four (4) panels which are 10.5' above grade and 43' long. They will be sunk in the ground approximately 6' and will be held in place by a 36" concrete sono tube. Unlike a previously approved solar panel arrays at the YMCA Camp Minikani, these will be stationary systems and will not track the sun. Please refer to the attachment which shows the general location of the system.

The subject property is zoned A-1, Exclusive Agriculture and consists of 1.51 acres. Generally speaking, the subject property is surrounded by other similarly zoned agricultural properties. The property that would be directly affected the most, the ~39.00 acre parcel that surrounds the subject property, is a vacant field used for farming. As are the 160ac that are in Section 31 of the Village Map which surround this property.

FUTURE IMPACT & ANALYSIS:

REVIEWED BY: _____

Carol J. Solt
Village Deputy Clerk

Forward to Village Board: Yes
Additional Approvals Yes
Signatures Required: Yes

ATTACHMENTS:

1. Site Plan for 275 Sherman Road (Tax Key: V10-1234-00A)
2. Conditional Use Application prepared by Heath Hermauer of Arch Electric
3. Conditional Use Legal Notice
4. Conditional Use Permit, application 2012-10-1

STAFF RECOMMENDATION:

Motion to recommend approval to the Village Board for the ground-mounted solar panel arrays, as outlined in the Conditional Use Permit for the property located at 275 Sherman Road (Tax Key: V10-1234-00A).

APPROVED FOR SUBMITTAL BY:



Village Staff Member



Village Administrator

VILLAGE CLERKS USE ONLY
BOARD ACTION TAKEN

Resolution No. _____
Ordinance No. _____
Approved _____
Other _____

Continued To: _____
Referred To: _____
Denied _____
File No. _____



Google earth

Eye alt 1435 ft

© 2012 Google

Location of Array

43°11'56.41"N 88°17'29.45"W elev 1049 ft

Imagery Date: 7/28/2011 1992

Village of Richfield Conditional Use Application
Planning and Zoning Department



Overview

Please fill out all forms attached in this document for the purposes of obtaining a conditional use permit. Submittal is 25 days prior to the next Plan Commission meeting. See Planning & Zoning Fee Schedule for all required fees. Conditional use permits are reviewed by the Plan Commission and Village Board. The Plan Commission meets on the first Thursday of every month and the Village Board meets on the third Thursday of every month.

Property Owner

Name Kluever, Charles + Janene
Company Name _____
Address 275 Sherman Rd
City Colgate State WI Zip 53017
Phone 262-628-0928 Fax _____
Email Address Janene.kluever@yahoo.com

Applicant/Agent Representing the Owner

Name Heath Hemauer
Company Name Arch Electric
Address W4499 Sumac Rd
City Plymouth State WI Zip 53073
Phone 920-522-3676 Fax _____
Email Address heath@archelectricllc.com

Property Location: 275 Sherman Rd
Tax Key Number(s): V10-123400A
Current Zoning of Parcel: A-1
Parcel Size (acres) 1.51

Conditional Use is Required for:

Solar Electric System

Please reference the property owner names, addresses, and tax key numbers for all properties that lie within 300 feet of the area where the conditional use permit is requested. (see Village Hall for assistance). Attach additional sheets if necessary.

[illegible]

Affidavit

I (we), being first duly sworn, attest that I am (we are) the Owner(s) of the property which is the subject of this application in the Village of Richfield, Washington County, Wisconsin, and that all the information attached to or provided in support of said application, including sketches, data, and any other documents and material, are honest and true to the best of my (our) knowledge.

Further, I (we) as Owner(s) acknowledge and accept the responsibility for any and all fees charged or costs incurred by the Village of Richfield to carry out the processing and review of this application; I (we) further acknowledge and understand that I (we) will be required to start an escrow account to which all processing and review cost will be charged; I (we) further acknowledge that in the event that the initial fee is not sufficient to cover all the costs associated with processing and reviewing the application I (we) will be required to provide the Village of Richfield an additional deposit; I (we) further acknowledge that the balance of any remaining fees shall be refunded within a reasonable amount of time after this application has been processed or withdrawn;

Further I (we) as Owner(s) of the subject property authorize and direct the Authorized Agent(s) identified above to act as my (our) representative(s) in any matter regarding this application, which may include the payment of filing fees on my (our) behalf;

Further I (we) as Owner(s) of the property subject of this application and Authorized Agent(s) understand that this application and all required forms and information must be completed and accurate, as determined by the Planning and Zoning Administrator for the Village of Richfield, before a meeting and/or public hearing (if required) can be scheduled.

Name of Owner(s) Janene Kuever ; Charles Kuever

Signature of Owner(s) Janene Kuever Charles Kuever

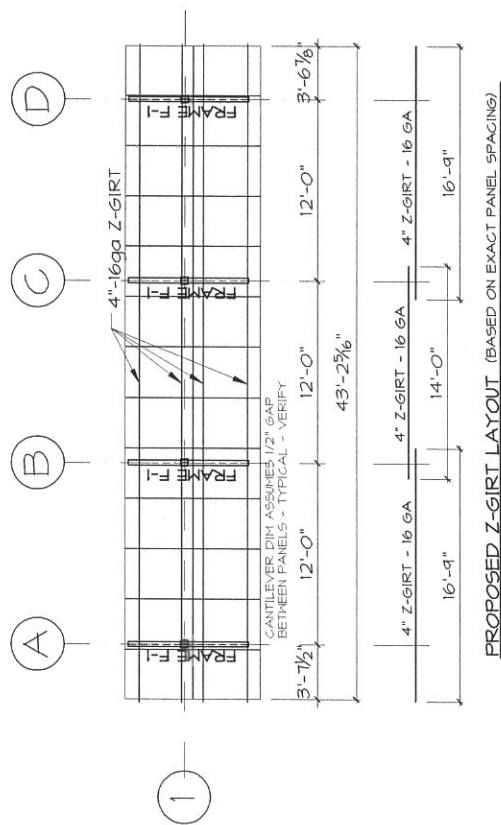
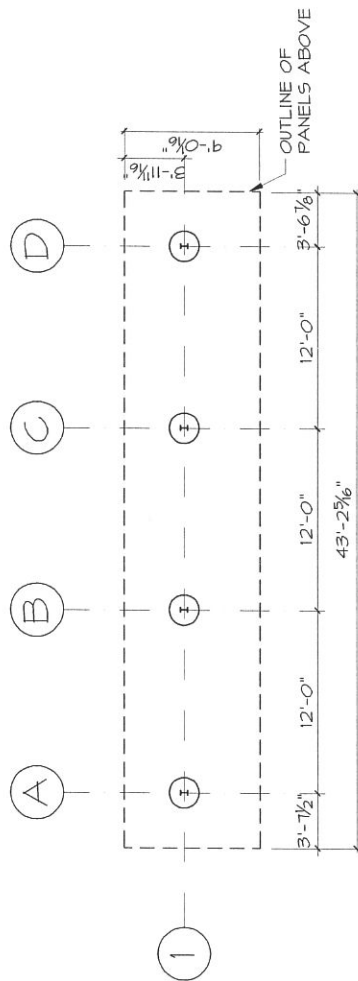
Name of Agent(s) Heath Hemauer

The foregoing instrument was sworn to and acknowledged before me

this _____ day of _____, _____.

Notary Signature _____

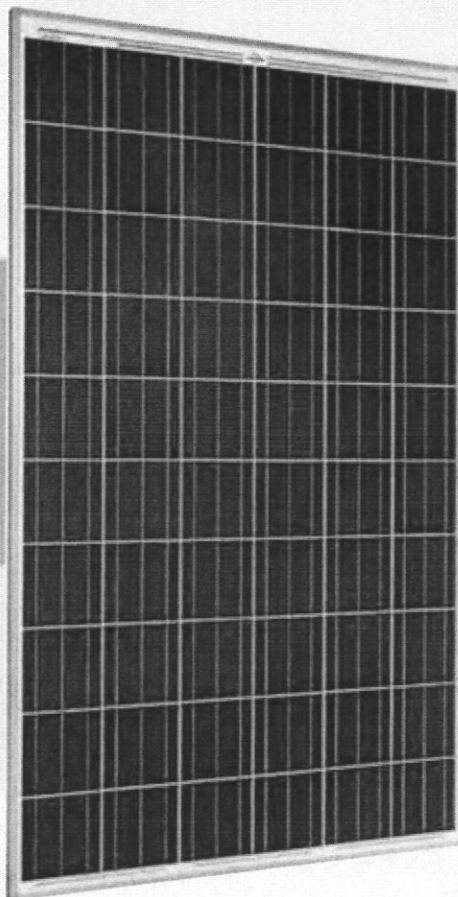
Commission Expires _____



PROPOSED PIER & POST LAYOUT
1/8" = 1'-0"

1/8" = 1'-0" 26 - Sunmodule 245 Panels (65.94")

Colgate Ground Mount Project		PROJECT #12-170	ID-1
FOR:	Arch Electric, llc	SOL STRUCTURES, LLC	OF
		262-227-4481	2
		09-03-12	
		leff@solstructuresllc.com	



Sunmodule⁺™ SW 245 poly / Version 2.5 Frame

World-class quality

Fully-automated production lines and seamless monitoring of the process and material ensure the quality that the company sets as its benchmark for its sites worldwide.

SolarWorld Plus-Sorting

Plus-Sorting guarantees highest system efficiency. SolarWorld only delivers modules that have greater than or equal to the nameplate rated power.

25 years linear performance guarantee and extension of product warranty to 10 years

SolarWorld guarantees a maximum performance degradation of 0.7% p.a. in the course of 25 years, a significant added value compared to the two-phase warranties common in the industry. In addition, SolarWorld is offering a product warranty, which has been extended to 10 years.*

*in accordance with the applicable SolarWorld Limited Warranty at purchase.
www.solarworld.com/warranty



Qualified, IEC 61215
Safety tested,
IEC 61730
Periodic Inspection



ISO 9001
ISO 14001
Certified



SW 245 poly / Version 2.5 Frame

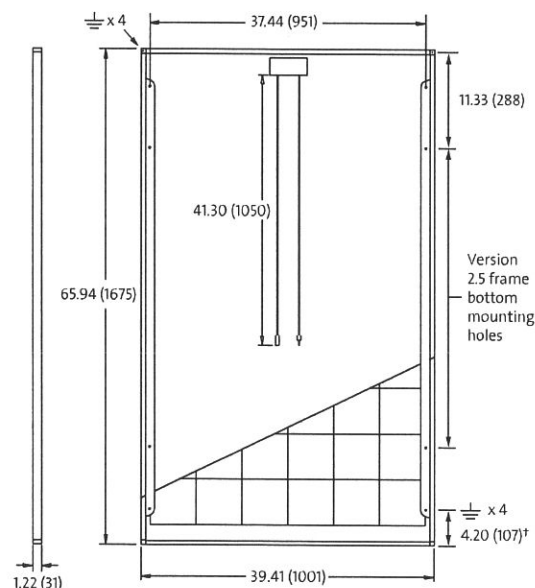
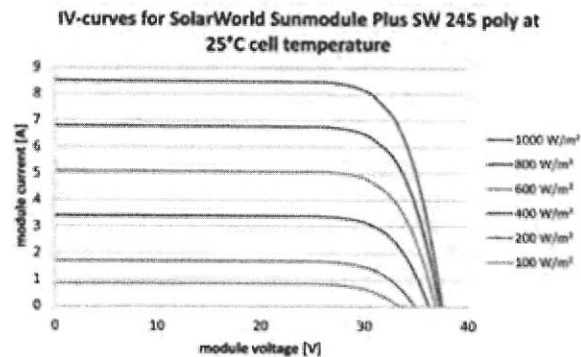
PERFORMANCE UNDER STANDARD TEST CONDITIONS (STC)*

		SW 245
Maximum power	P_{max}	245 Wp
Open circuit voltage	V_{oc}	37.5 V
Maximum power point voltage	V_{mpp}	30.8 V
Short circuit current	I_{sc}	8.49 A
Maximum power point current	I_{mpp}	7.96 A

*STC: 1000W/m², 25°C, AM 1.5

THERMAL CHARACTERISTICS

NOCT	46 °C
TC I_{sc}	0.081 %/K
TC V_{oc}	-0.37 %/K
TC P_{mpp}	-0.45 %/K
Operating temperature	-40°C to 85°C



PERFORMANCE AT 800 W/m², NOCT, AM 1.5

		SW 245
Maximum power	P_{max}	176.4 Wp
Open circuit voltage	V_{oc}	33.7 V
Maximum power point voltage	V_{mpp}	27.7 V
Short circuit current	I_{sc}	6.84 A
Maximum power point current	I_{mpp}	6.37 A

Minor reduction in efficiency under partial load conditions at 25°C: at 200W/m², 95% (+/-3%) of the STC efficiency (1000 W/m²) is achieved.

COMPONENT MATERIALS

Cells per module	60
Cell type	Poly crystalline
Cell dimensions	6.14 in x 6.14 in (156 mm x 156 mm)
Front	tempered glass (EN 12150)
Frame	Clear anodized aluminum
Weight	46.7 lbs (21.2 kg)

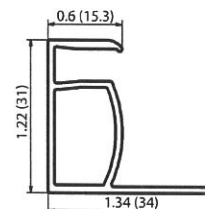
SYSTEM INTEGRATION PARAMETERS

Maximum system voltage SC II		1000 V
Max. system voltage USA NEC		600 V
Maximum reverse current		16 A
Number of bypass diodes		3
UL Design Loads*	Two rail system	113 psf downward 64 psf upward
UL Design Loads*	Three rail system	170 psf downward 64 psf upward
IEC Design Loads*	Two rail system	113 psf downward 50 psf upward

*Please refer to the Sunmodule installation instructions for the details associated with these load cases.

ADDITIONAL DATA

Power tolerance ²⁾	-0 Wp / +5 Wp
J-Box	IP66
Connector	MC4
Module efficiency	14.61 %
Fire rating (UL 790)	Class C



VERSION 2.5 FRAME

- Compatible with both "Top-Down" and "Bottom" mounting methods
- Grounding Locations:
 - 4 corners of the frame
 - 4 locations along the length of the module in the extended flange³⁾

1) Sunmodules dedicated for the United States and Canada are tested to UL 1703 Standard and listed by a third party laboratory. The laboratory may vary by product and region. Check with your SolarWorld representative to confirm which laboratory has a listing for the product.

2) Measuring tolerance traceable to TUV Rheinland: +/- 2% (TUV Power Controlled).

3) All units provided are imperial. SI units provided in parentheses.



PLAT Road

SHERMAN Road

SAINT AUGUSTINE Road

AUGUSTINE POINTE Court

CIVILICA

A-2

A-2

A-2

A-2

Subject Property

(Class II Pubic Notice)
NOTICE OF PUBLIC HEARINGS
VILLAGE OF RICHFIELD
Thursday, November 1, 2012

Notice is hereby given pursuant to the requirements of Section 19.84, Wis. Stats., and provisions of the Village of Richfield municipal code that the Village of Richfield Plan Commission and Village Board will conduct a joint public hearing for the following application on Thursday, November 1, 2012, at 7:30 p.m. at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI:

1. Conditional Use application submitted by Kristine Jacklin on behalf of Mary Anderson for their property at 4958 STH 167 (Tax Key: V10-0152); Hubertus, WI 53033 for the seasonal establishment or operations for the retail sale of vegetables, other selected farm or agricultural products, antiques, crafts and similar items.
2. Conditional Use application submitted by Charles and Janene Kluever for their property located at 275 Sherman Road (Tax Key: V10-1234-00A); Colgate, WI 53017 for ground mounted solar panel arrays.

For information regarding these public hearings, contact Jim Healy, Planning and Zoning Administrator, at 262-628-2260. Copies of the applications are available from the Village Clerk during office hours from 7:30 a.m. to 4:00 p.m. Requests from persons with disabilities who need assistance to participate in this hearing should be made to the Village Clerk's office at 628-2260 with as much advance notice as possible.

Publication Dates:

October 18, 2012

October 25, 2012

CONDITONAL USE PERMIT
Mr. CHARLES AND JANENE KLUEVER
APPLICATION 2012-10-1
GROUND-MOUNTED SOLAR ARRAYS
275 SHERMAN ROAD (V10-1234-00A)

DRAFT

The Village Board of the Village of Richfield, Washington County, Wisconsin DO ORDAIN AS FOLLOWS:

Whereas, a petition has been filed by Charles and Janene Kluever ("Petitioner") for their property located at 275 Sherman Road (V10-1234-00A) to establish a ground-mounted solar panel array on the subject property; and

Whereas, Section 70.301(E) of the zoning code for the Village of Richfield allows ground-mounted solar panel arrays in all zoning districts as a Conditional Use; and

Whereas, the property is zoned A-1, General Agricultural District; and

Whereas, upon receipt of a written application for a Conditional Use Permit filed by the Petitioner, the Village Clerk properly referred such petition to the Plan Commission for the Village of Richfield for determination; and

Whereas, upon receipt of the petition by the Village Clerk, the Plan Commission for the Village of Richfield scheduled a public hearing thereon as soon as practical; and

Whereas, upon publication of the required "Notice of Public Hearing" and mailing of said "Notice of Public Hearing" to all property owners that are within 300 feet of Subject property, the Plan Commission and Village Board for the Village of Richfield held a joint public hearing on November 1, 2012, as required by Section 70.241 of the Zoning Code for the Village of Richfield; and

Whereas, members of the public at the public hearing were given ample opportunity to provide comment; and

Whereas, the Plan Commission for the Village of Richfield, following the public hearing and necessary study and investigation, have given the matter due consideration, and having based its determination on the effect of granting such Conditional Use Permit on the health, general welfare, safety and economic prosperity of the Village and specifically of the immediate neighborhoods surrounding said location, and having given due consideration to the municipal problems involved, as well as impact on the surrounding properties hereby determine that the use of a ground-mounted solar panel array will not violate the spirit or intent of the Zoning Ordinance for the Village of Richfield, will not be contrary to the public health, safety or general welfare of the Village of Richfield, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of smoke, dust, odor or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the Conditional Use is operated pursuant to the following conditions and in strict compliance with the same.

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THEREFORE IT IS ORDERED AS FOLLOWS:

Commencing upon the date hereof, a Conditional Use Permit for the subject premises is hereby granted. The Conditional Use Permit shall continue in existence only so long as the Use is operated in compliance with this permit.

- A. This Conditional Use Permit is granted to the Petitioner subject to the following conditions:
1. Subject Property: This Conditional Use Permit is limited to the Petitioner's property located at 275 Sherman Road (V10-1234-00A).
 2. Use Restricted: The use of Subject Property is subject to the following limitations:
 - a. Limited to four (4) Sunmodule SW 245 poly/ver. 2.5 panel frames.
 - b. The panels will be mounted on four (4) custom-built 6'5.25" stands, spaced 12' apart.
 - c. The panels shall extend approximately 44' east and west.
 - d. Shall be placed on the location provided on the Site Plan by the Petitioner (See Attachment 1).
 3. Acceptance: The Petitioner is required to accept the terms and conditions of this order in its entirety, in writing.
- B. In addition to the use authorized by this conditional use order, the subject property may be used for those uses authorized by the zoning regulations applicable to the zoning district in which the subject property is located. Such uses shall, however, be subject to the prior approval of the Plan Commission through the plan of operation approval process and shall be depicted on the site plan as may be amended from time-to-time with the approval of the Plan Commission.
- C. No Use is hereby authorized unless the Use is conducted in a lawful, orderly, and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rules of either the municipal governing body, the County of Washington, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the subject property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village Ordinance or other law.
- D. This Conditional Use hereby authorized shall be confined to the subject property described, without extension or expansion other than as noted here, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by the Plan Commission as being in compliance with all pertinent ordinances.
- E. If the property owner does not establish the use authorized by this approval within 6 months of the approval date, this order is null and void. Prior to expiration, the property owner may request an extension and the Village Board may approve an extension with good cause.
- F. Should the permitted Conditional Use be abandoned in any manner, or discontinue in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the petitioner be delinquent in payment of any monies due and owing to the municipality, or should a change in the character of the surrounding area or the use itself cause it to no longer be compatible with the surrounding area or for similar cause based upon the consideration of public health, safety or welfare, the Conditional Use may be terminated by action of the Plan Commission, pursuant to the enforcement provisions of this Conditional Use Order.
- G. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including, but not limited to an addition, modification, alteration and/or

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amendment to the use, premise, structures, lands or owners, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.

- H. The Petitioner hereby gives Village Officials, Staff and authorized agents the right to enter the subject property with reasonable notice for purposes of inspecting the premise to ensure compliance with the terms of this permit.
- I. The terms of this Conditional Use approval shall be binding on the owners of the subject property and their heirs, successors, and assigns.
- J. Any attorney fees incurred by the Village of Richfield to enforce any of the conditions or requirements of this Conditional Use Permit must be paid by the Petitioner.
- K. Unless this Conditional Use Permit expressly states otherwise, plans that are specifically required by this conditional use order may be amended to be minor and consistent with the Conditional Use Permit. Any change in any plan that the Plan Commission feels, in its sole discretion, to be substantial shall require a new permit, and all procedures in place at the time must be followed.
- L. Should any paragraph or phrase of this Conditional Use Permit be determined by a Court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the Conditional Use and the remainder shall continue in full force and effect.
- M. If any aspect of this Conditional Use Permit or any aspect of any plan contemplated and approved under this Conditional Use is in conflict with any other aspect of the Conditional Use or any aspect of any plan of the Conditional Use, the more restrictive provision shall be controlling as determined by the Plan Commission.

Passed this 15th day of November, 2012

John Jeffords, President

Rock Brandner, Trustee

Daniel Neu, Trustee

Bill Collins, Trustee

Sandy Voss, Trustee

Joshua Schoemann, Village Administrator/Clerk/Treasurer

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ACCEPTANCE BY PETITIONER:

I, Charles Kluever, accept the terms stated herein.
Dated this ____ day of _____, 2012

Charles Kluever

I, Janene Kluever, accept the terms stated herein.
Dated this ____ day of _____, 2012

Janene Kluever



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM
MEETING DATE: November 1, 2012

SUBJECT: Conditional Use Application to establish a seasonal establishment for the sale of vegetables and crafts at 4958 STH 167 (Tax Key: V10-0155 & 0152); Ms. Mary Anderson, applicant

DATE SUBMITTED: October 23, 2012

SUBMITTED BY: Jim Healy, Assistant to the Administrator

ISSUE SUMMARY:

Ms. Mary Anderson submitted a Conditional Use Application pursuant to Section 70.188(D)(12) of the municipal code to establish a *'seasonal establishments or operations for the retail sale of vegetables, fruits, flowers, nursery stock, other selected farm or agricultural products, antiques, crafts, and similar items when both farm and nonfarm products are available for sale from roadside stands or similar accessory structures greater than 150 gross square feet'* at the applicants home at 4958 STH 167 (Tax Keys: V10-0155 & 0152). The Village scheduled a formal Public Hearing in the *West Bend Daily News* with dates of publication occurring on October 18th and 25th, respectively. Notification was also sent to everyone with 300' of the property boundary lines.

While what Ms. Anderson is proposing isn't typically what is envisioned with this type of a CUP, it is the opinion of Village Attorney John Macy that the 'broadest interpretation be considered for the applicant'. In taking that approach, what you will notice from the series of attached photos there are multiple vendors selling a multitude of farm-related crafts, fruits, flowers, antiques etc. In the truest sense of a description, what Ms. Anderson is proposing is a by all accounts a traditional craft fair. What Ms. Anderson does is utilize her property as a venue and allows vendors to rent spaces on her property, set up tents, and makes their goods available for purchase. She provides structured parking with attendants, non-amplified music, hot coffee/apple cider, and her accessory structures for shelter. For additional details regarding her business operations, please refer to her website: www.holyhillartfarm.com.

As it currently stands, Ms. Anderson has been operating this craft fair all season without permit. A portion of her operations utilize accessory structures to house vendors and various patrons. It is the position of Attorney John Macy and the Village that she may continue to use these buildings for that purpose provided that they are up to 'commercial code' and inspected by Village Building Inspector Joel Jaster.

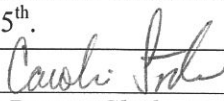
Access to the land where the craft fair is set up is via an access point off of STH 167 on tax parcel V10-0155 (also owned by Ms. Anderson). From talking with WisDOT Permit Coordinator Kevin Koehnke, no additional signage or traffic controls (other than what already exists) will be needed for the craft fair to operate. Please see the attached e-mail for further details.

Ms. Anderson is proposing to operate her craft fair four (4) times per year (Friday-Sunday). She intends to operate it on one weekend in each of the following months: May, June, September and October. The times she will operate are Fridays from 9am-9pm; Saturday & Sunday from 9am-4pm. All parking and vendor selling will take place in areas designated in the Conditional Use Permit (see attachments).

Village Attorney John Macy is currently reviewing the draft Conditional Use Permit and will offer his comments, questions, suggestions, and edits in advance of the Village Board meeting on November 15th.

FUTURE IMPACT & ANALYSIS:

REVIEWED BY:


Village Deputy Clerk

Forward to Village Board: Yes
Additional Approvals Yes
Signatures Required: Yes



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM
MEETING DATE: November 1, 2012

ATTACHMENTS:

1. Pictures from October Craft Fair
2. Conditional Use Application prepared by Kristine Jackline, agent for the applicant
3. Conditional Use Legal Notice
4. DRAFT Conditional Use Permit

STAFF RECOMMENDATION:

Motion to recommend approval to the Village Board for the seasonal establishment craft fair, as outlined in the Conditional Use Permit for the property located at 4958 STH 167 (Tax Key: V10-0155 & 0152).

APPROVED FOR SUBMITTAL BY:

Village Staff Member

Village Administrator

VILLAGE CLERKS USE ONLY
BOARD ACTION TAKEN

Resolution No. _____
Ordinance No. _____
Approved _____
Other _____

Continued To: _____
Referred To: _____
Denied _____
File No. _____

Planner

From: Heydel, Tom - DOT <Tom.Heydel@dot.wi.gov>
Sent: Thursday, October 25, 2012 12:31 PM
To: Koehnke, Kevin F - DOT
Cc: Planner
Subject: RE: Access off of STH 167

Kevin,

No additional signage beyond what is already there.

Tom

From: Koehnke, Kevin F - DOT
Sent: Thursday, October 25, 2012 11:12 AM
To: Heydel, Tom - DOT
Cc: 'Planner@richfieldwi.gov'
Subject: FW: Access off of STH 167
Importance: High

Tom,

I got a call from the Village of Richfield notifying me of a residence that desires to hold an craft fair on his property a couple weekends a year. They are wondering if they need anything from the DOT. I told him no parking cars within r/w or advertising signs in the r/w.

This looks like a pretty blind corner as you travel east bound. Anything we need to have them do from a signage perspective?

I took some images off photolog and put them into this word document. The drive in the last one is the location of access to the residence where the craft fair will be held.

Thanks!

Kevin Koehnke, P.E.

Permits Coordinator
Wis DOT Systems Development SE Region
141 NW Barstow Street
Waukesha WI 53187
kevin.koehnke@dot.wi.gov
262-548-5891

From: Planner [<mailto:Planner@richfieldwi.gov>]
Sent: Thursday, October 25, 2012 10:42 AM
To: Koehnke, Kevin F - DOT
Cc: Joshua Schoemann
Subject: Access off of STH 167
Importance: High

Dear Mr. Koehnke,

Thank you very much for taking a look at this situation. We just wanted to make sure that all of our bases are covered as far as access is concerned. As I expressed to you in our phone conversation, this will be essentially a craft fair that will operate only a few weekends each year.

Any brief, written, response would be greatly appreciated.

Sincerely,

Jim Healy
Assistant to the Village Administrator
Planning and Zoning Administrator
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
(262)-628-2260

This message originates from the Village of Richfield. It contains information that may be confidential or privileged and is intended only for the individual named above. It is prohibited for anyone to disclose, copy, distribute, or use the contents of this message without permission, except as allowed by the Wisconsin Public Records Law. If this message is sent to a quorum of a governmental body, my intent is the same as though it were sent by regular mail and further e-mail distribution is prohibited. All personal messages express views solely of the sender, which are not attributed to the municipality I represent and may not be copied or distributed without this disclaimer. If you have received this message in error, please notify me immediately.























Village of Richfield Conditional Use Application

Planning and Zoning Department



Overview

Please fill out all forms attached in this document for the purposes of obtaining a conditional use permit. Submittal is 25 days prior to the next Plan Commission meeting. See Planning & Zoning Fee Schedule for all required fees. Conditional use permits are reviewed by the Plan Commission and Village Board. The Plan Commission meets on the first Thursday of every month and the Village Board meets on the third Thursday of every month.

Property Owner

Name Mary Anderson
Company Name Holy Hill Art Farm
Address 4958 Hwy 167
City Hubertus State WI Zip 53033
Phone 262-628-2175 Fax n/a
Email Address n/a

Applicant/Agent Representing the Owner

Name Kristine Jacklin (daughter)
Company Name Holy Hill Art Farm
Address 5049 Pleasant Hill Rd
City Richfield State WI Zip 53076
Phone 262-644-9098 Fax n/a
Email Address rjacklin@charter.net

Property Location: 4958 Hwy 167 Hubertus WI 53033

Tax Key Number(s): Tax Bills # 22608, 22609

Current Zoning of Parcel: 2 Parcels A-1, Parcels # V100155/V100152

Parcel Size (acres) 40 acres / 30 acres

Conditional Use is Required for:

(please
See attached)

Conditional Use Requested for:

Art & Farm Market Events: Sales of Honey, Jams, Salsa, Canned Vegetables, Farm Produce & Foods, Bakery, Arts, Crafts, Collectibles, Vintage, Antiques, Junk (Treasures!) Recycled Art, Iron Art, Garden Art all on the Farm Property. Use of the homestead structures including Barn and Sheds for shelter with the majority of sales occurring outside. Weekend events from 9-4pm - Friday from 9-9pm. All doors in Barn (5 in lower level, 1 in upper barn with a 20 foot sliding door) open at all time. All doors in Main Shed (4 garage doors from 8 feet to 22 feet wide) open at all times. Caterer in lower Farmhouse is licensed by state and lower farmhouse serving site is inspected by Washington County Health Department. We carry full farm insurance. All Farmers have Wisconsin State Seller Permits with food selling insurance. All Artists have Wisconsin State Sellers Permits. We provide portable toilets, parking attendees, family staff members on duty at all times, and free coffee and bakery to our local Artists and Farmers.

Please reference the property owner names, addresses, and tax key numbers for all properties that lie within 300 feet of the area where the conditional use permit is requested. (see Village Hall for assistance). Attach additional sheets if necessary.

[illegible]

Affidavit

I (we), being first duly sworn, attest that I am (we are) the Owner(s) of the property which is the subject of this application in the Village of Richfield, Washington County, Wisconsin, and that all the information attached to or provided in support of said application, including sketches, data, and any other documents and material, are honest and true to the best of my (our) knowledge.

Further, I (we) as Owner(s) acknowledge and accept the responsibility for any and all fees charged or costs incurred by the Village of Richfield to carry out the processing and review of this application; I (we) further acknowledge and understand that I (we) will be required to start an escrow account to which all processing and review cost will be charged; I (we) further acknowledge that in the event that the initial fee is not sufficient to cover all the costs associated with processing and reviewing the application I (we) will be required to provide the Village of Richfield an additional deposit; I (we) further acknowledge that the balance of any remaining fees shall be refunded within a reasonable amount of time after this application has been processed or withdrawn;

Further I (we) as Owner(s) of the subject property authorize and direct the Authorized Agent(s) identified above to act as my (our) representative(s) in any matter regarding this application, which may include the payment of filing fees on my (our) behalf;

Further I (we) as Owner(s) of the property subject of this application and Authorized Agent(s) understand that this application and all required forms and information must be completed and accurate, as determined by the Planning and Zoning Administrator for the Village of Richfield, before a meeting and/or public hearing (if required) can be scheduled.

Name of Owner(s)

MARY ANDERSON

Signature of Owner(s)

Mary Anderson

Name of Agent(s)

KRISTINE JACKLIN (DAUGHTER)

Kristine Jacklin

The foregoing instrument was sworn to and acknowledged before me

this

18th day of September 2012

Notary Signature

Kris Schoenecker

Commission Expires

5/10/2015

(Class II Pubic Notice)
NOTICE OF PUBLIC HEARINGS
VILLAGE OF RICHFIELD
Thursday, November 1, 2012

Notice is hereby given pursuant to the requirements of Section 19.84, Wis. Stats., and provisions of the Village of Richfield municipal code that the Village of Richfield Plan Commission and Village Board will conduct a joint public hearing for the following application on Thursday, November 1, 2012, at 7:30 p.m. at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI:

1. Conditional Use application submitted by Kristine Jacklin on behalf of Mary Anderson for their property at 4958 STH 167 (Tax Key: V10-0152); Hubertus, WI 53033 for the seasonal establishment or operations for the retail sale of vegetables, other selected farm or agricultural products, antiques, crafts and similar items.
2. Conditional Use application submitted by Charles and Janene Kluever for their property located at 275 Sherman Road (Tax Key: V10-1234-00A); Colgate, WI 53017 for ground mounted solar panel arrays.

For information regarding these public hearings, contact Jim Healy, Planning and Zoning Administrator, at 262-628-2260. Copies of the applications are available from the Village Clerk during office hours from 7:30 a.m. to 4:00 p.m. Requests from persons with disabilities who need assistance to participate in this hearing should be made to the Village Clerk's office at 628-2260 with as much advance notice as possible.

Publication Dates:

October 18, 2012

October 25, 2012

**CONDITIONAL USE PERMIT
HOLY HILL ART FARM – CRAFT FAIR
4958 STH 167 (Tax Key: V10-0152 & 0155)**

The Village Board of the Village of Richfield, Washington County, Wisconsin DO ORDAIN AS FOLLOWS:

Whereas, Mary Anderson (“petitioner”) owns the property generally located at 4958 STH 167 designated as tax keys V10-0152 and V10-0155 (“subject property”); and

Whereas, the subject property is designated A-1, Exclusive Agricultural District, UC, Upland Conservancy and LC, Lowland Conservancy on the Village’s official zoning map and contains approximately 70 acres with the combined two parcels; and

Whereas, upon receipt of the written petition for a Conditional Use Permit the Village Clerk properly referred such petition to the Plan Commission for the Village of Richfield for determination; and

Whereas, upon receipt of the petition by the Village Clerk, the Plan Commission for the Village of Richfield scheduled a public hearing thereon as soon as practical; and

Whereas, upon publication of the required “Notice of Public Hearing” and mailing of said “Notice of Public Hearing” to all property owners within 300 feet of the subject property, the Plan Commission for the Village of Richfield held a public hearing on November 1, 2012, as required by section 70.241 of the zoning code for the Village of Richfield; and

Whereas, members of the public at the public hearing were given ample opportunity to provide comment; and

Whereas, the Plan Commission for the Village of Richfield passed a motion recommending that the Village Board approve the conditional use; and

Whereas, the Village Board for the Village of Richfield, having carefully reviewed the recommendation of the Plan Commission for the Village of Richfield, having given the matter due consideration, and having based its determination on the effect of granting such conditional use permit on the health, general welfare, safety and economic prosperity of the Village and specifically of the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as impact on the surrounding properties as to noise, dust, smoke, odor or other similar factors, hereby determines that the use will not violate the spirit or intent of the zoning ordinance for the Village of Richfield, will not be contrary to the public health, safety or general welfare of the Village of Richfield, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of smoke, dust, odor or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the conditional use is operated pursuant to the following conditions and in strict compliance with the same.

THEREFORE IT IS ORDERED AS FOLLOWS:

Commencing upon the date of signature of this approval by Village officials and the property owner, whichever occurs last, the Conditional Use Permit as set forth herein is approved.

The Conditional Use Permit shall continue in existence only so long as the conditional use is operated in compliance with this permit. This Conditional Use Permit is subject to initial and continued compliance with each and every one of the following conditions, restrictions, and limitations.

- A. This conditional use approval is granted for a seasonal farm-related operation subject to the following conditions:
1. Subject Property. This conditional use permit is limited to the subject property at 4958 STH 167 (Tax Key: V10-0152 & V10-0155)
 2. Presentation Compliance. The use of the subject property shall be in substantial conformity with the presentation at the public hearing before the Village of Richfield Plan Commission held on November 1, 2012.
 3. Use Restricted. The use of the subject property is limited to (1) a single-family residence as authorized in the A-1 zoning district; (2) all principle, and accessory uses allowed by the Village's Zoning Code for the respective zoning classifications; and (3) a seasonal farm-related craft fair operation consistent with Section 70.188(D)(12) of the Village's Zoning Code on tax parcel V10-0152. Although weddings have been conducted in the past, this conditional use permit does not authorize the continued use which is not permitted under the zoning code.
 4. Site plan. All operations on the subject property shall be consistent with the attached site plan. The attachment distinguishes between two sections of the property, the 'vendor area' where the sale of crafts and vegetables will take place, and the 'parking area' which is an empty field utilized for patron parking. The petitioner is entitled to amend or change the site plan subject to the aforementioned conditions and subject to approval by the Plan Commission, which may be granted without a public hearing if such amendment or change is not a substantial change from the original plan as approved and as allowed herein. If the petitioner would like to expand the scope of the operations, the zoning administrator is authorized to review such petition and approve the same in writing if he or she determines that the activity is in keeping with the spirit and intent of this conditional use approval and is compatible with existing land uses. If the zoning administrator denies the proposed amendment, the petitioner may appeal the administrator's determination to the Plan Commission for a final determination. Any amendment or change in any plan contemplated herein that the Plan Commission finds, in its sole discretion, to be substantial will require a new permit and all Village procedures in place at the time must be followed.

5. Specific Conditions of Approval. In addition to other requirements as may be contained herein, the following conditions of approval must be satisfied:
 - a. Within four months of when the Village Board approves this conditional use permit, the petitioner is required to accept the terms and conditions of this approval in writing. If a signature is not obtained this approval becomes null and void.
 - b. The petitioner is required to obtain all access permits as may be required by the Wisconsin Department of Transportation to have access off of Holy Hill Road (STH 167) or provide in writing that none are required.
 - c. All parking related to this use shall occur on the subject property in the 'parking area' as indicated on the site plan. Parking on Holy Hill Road (STH 167) by patrons is prohibited.
 - d. All vendor sales shall occur on the subject property in the 'vendor area' as indicated on the site plan. Any sales or activity outside the designated area is prohibited.
 - e. The petitioner is responsible for employing or otherwise retaining individuals responsible for on-site security and/or parking assistance and enforcement who are adequate in number and appropriately trained to direct and otherwise assist with the parking of vehicles and accommodation of patrons related to the operation.
 - f. The petitioner is allowed to operate craft fair events one weekend (Fri-Sun) in May, June, September, and October only. The hours of operation shall be 9am-9pm on Friday and 9am-4pm on Saturday and Sunday
 - g. The sale of garden and farm-related products shall constitute the most dominant element of this use. The sale of other, non-farm items and activities shall constitute an ancillary element of this use.
 - h. All signage needs to comply with Chapter 62 of the Village Code.
 - i. The petitioner must also continue to provide portable restrooms for guests attending functions on the property at a rate of two units per every two hundred guests.
6. Nature of approval. This conditional use permit shall not be transferred to any subsequent owner of the subject property, in whole or in part. This permit shall expire and become invalid upon the sale or transfer of ownership of the subject property.
7. Licenses/Permits. The petitioner shall be required to obtain any and all required licenses and permits from the village, county, state, and federal government. If any license or permit is issued, any and all conditions of the same are incorporated herein and made a part of this conditional use permit.
8. Laws. The petitioner shall comply with all federal, state, county, and local rules, codes, ordinances, and regulations in the construction, operation, and maintenance of the subject property as amended from time to time.
9. Junk. No junk as defined in chapter 46 of the Village code of ordinances or disassembled, inoperable, junked or wrecked boats, motor vehicles, truck bodies,

tractors, trailers also defined in chapter 46 shall be accumulated or stored on the subject property. No burying or burning of junk is permitted on the subject property.

10. Fees and Expenses. Upon issuance of this conditional use permit, the petitioner shall reimburse the Village for all expenses incurred by the Village including all professional and technical assistance expenses, realized by the Village in reviewing, approving, and granting this conditional use permit. The Village Clerk shall provide the petitioner with copies of all itemized invoices.
 11. Cost of Enforcement. Any attorney fees incurred by the Village of Richfield to enforce any of the conditions or requirements of this conditional use permit must be paid by the petitioner.
 12. Revocation or Modification of Approval. Whenever the Village Board has reasonable cause to believe that any of the conditions herein imposed are being or have been violated, or any use of the subject property related to the operation becomes hazardous, harmful, noxious, offensive, or a nuisance to surrounding properties, the Village Board shall have the right to revoke or modify this permit, including, but not limited to, imposing stricter conditions upon the use and/or operation through a revised permit by the following the process as set forth in Section 70-301(D)(2) of the Village code of ordinances.
 13. Right of entry for inspection. The petitioner and the property owner hereby give village officials, employees, and authorized agents the right to enter the subject property with reasonable notice for purposes of inspecting the premise to ensure compliance with the terms of this permit.
- B. Any use not specifically listed as permitted in the applicable sections of the zoning code shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of use the question shall be submitted to the Plan Commission for determination.
- C. No use is hereby authorized unless the use is conducted in a lawful, orderly, and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the municipal governing body, the county of Washington, the state of Wisconsin, the federal government, or other duly constituted authority, except only to the extent that it authorizes the use of the subject property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village ordinance or other law.

- D. This conditional use hereby authorized shall be confined to the subject property described, without extension or expansion other than as noted herein, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by the Plan Commission as being in compliance with all pertinent ordinances.
- E. Should the permitted conditional use be abandoned in any manner, or discontinued in use for thirteen (13) months, or continued other than in strict conformity with the conditions of the original approval, or should the petitioner be delinquent in payment of any monies due and owing to municipality, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Plan Commission, pursuant to the enforcement provisions of this conditional use permit.
- F. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to an addition, modification, alteration and/or amendment to the use, premises, structures, lands or owners, other than as specifically authorized herein, shall require a new conditional use permit and all procedures in place at the time must be followed.
- G. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use permit may be amended to be minor and consistent with the conditional use permit. Any change in any plan that the Plan Commission feels, in its sole discretion, to be substantial shall require a new permit, and all procedures in place at the time must be followed.
- H. Should any paragraph or phrase of this conditional use permit be determined by a Court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.
- I. If any aspect of this conditional use permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission.
- J. This conditional use permit may be reviewed by the Plan Commission at any time upon complaint or upon Plan Commission initiative as provided in Section 70.301(D)(2) of the Village of Richfield village code and as amended from time to time.
- K. All buildings housing craft fair patrons and/or vendors must be inspected by the Village Building Inspector to ensure compliance with all relevant building codes.
- L. This conditional use permit does not authorize the construction of any building or structure not otherwise approved or allowed in the underlying zoning district.

Passed this 15th day of November, 2012

John Jeffords, President

Rock Brandner, Trustee

Bill Collins, Trustee

Daniel Neu, Trustee

Sandy Voss, Trustee

ATTEST:

Joshua Schoemann, Administrator/Clerk/Treasurer

ACCEPTANCE

I, Mary Anderson, verify that I acknowledge that the Holy Hill Art Farm shall be bound by the terms of this conditional use approval in its entirety.

Dated this ____ day of _____, 2012

Mary Anderson, Petitioner

Personally came before me this ____ day of _____ 2012, the above named person, Mary Anderson, to me known to be the person who executed the foregoing instrument and acknowledged the same.

NOTARY PUBLIC

My Commission Expires:

DRAFT



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM
MEETING DATE: October 4, 2012

SUBJECT: Site, Building and Plan of Operation for a vertical collocation at 1101 STH 164

DATE SUBMITTED: October 23, 2012

SUBMITTED BY: Jim Healy, Assistant to the Administrator

ISSUE SUMMARY:

AT&T is upgrading its existing wireless network to include LTE service. The proposed scope of work for AT&T Mobility's equipment upgrade at this site is for the addition of three (3) Andrew SBND-1D6565B antennas, six (6) Ericsson RRU-11 remote radio units, one (1) fiber bundle, and one (1) raycap. The Richfield Volunteer Fire Department's Tower is located at 1101 STH 164 (Tax Key: V10-0785-00A), and was originally designed and manufactured by PiRod, Inc. in 2003. The proposed addition to this tower is at an elevation of 168' on the AT&T section of the tower.

What is being proposed is a "Vertical Collocation" (VC) or *the placement of two or more wireless communication facilities on the same support structure*. Section 70.335(A)(3) describes the overlay area in the Village known as the 'General Purpose District', which is the district this cell tower falls into. Based on the location, it needs to go through a SBOP process. However, for the purposes of the approval, we are really only concerned with the 'Site Plan' aspect.

Staff requested a structural analysis, although not required by ordinance, and received a copy of one that was completed back in August. From speaking with Mr. John Schrader, Radio Systems Administrator for Washington County, on October 24, 2012, he since has analyzed the new data based on the Commissions previous approval and he has deemed the structural integrity of the tower to be within acceptable rates.

Per your approval, the anticipated construction date is February 2013.

FUTURE IMPACT & ANALYSIS:

REVIEWED BY: _____

Carol J. Jole
Village Deputy Clerk

Forward to Village Board: No

Additional Approvals No

Signatures Required: No

ATTACHMENTS:

1. Site Plan for 1101 STH 164 (Tax Key: V10-0785-00A)
2. Site, Building and Plan of Operation application completed by Chris Barton on behalf of AT&T
3. E-mail from John Schrader 10/08/12

STAFF RECOMMENDATION:

Motion to approve the proposed Site Plan for the Wireless Communication Facility located at 1101 STH 164, Tax Key: V10-0785-00A, to include three (3) antennas, six (6) remote radio units, one (1) fiber bundle, and one (1) raycap for the AT&T section of the tower at the height of 168'.

APPROVED FOR SUBMITTAL BY:

[Signature]

Village Staff Member

[Signature]

Village Administrator

VILLAGE CLERKS USE ONLY
BOARD ACTION TAKEN

Resolution No. _____
Ordinance No. _____
Approved _____
Other _____

Continued To: _____
Referred To: _____
Denied _____
File No. _____

Village of Richfield Site, Building and Plan of Operation Application Packet

Planning and Zoning Department



Overview

Please fill out all forms attached in this document for the purposes of a site, building and plan of operation review. The attached zoning codes and ordinances address requirements of the site, building and plan of operation review as well as all lighting requirements. The documents also address specific setback, lot and building size requirements. Approval of these applications must first be received from the Architectural Review Board and then from the Plan Commission.

Submittal of the attached applications and accompanying documents is required 25 days prior to the Plan Commission meeting at which the applications will be considered. The Plan Commission meets on the first Thursday of every month. The following checklist is designed to assist applicants in the application process described in the attached codes and ordinances.

Checklist

1. Initial meeting with Village Planning and Zoning Administrator
2. Pre-application conference/field inspection with village staff and members of reviewing agencies
3. Neighborhood workshop session, if applicable (required for any building, building addition or impervious surface greater than or equal to 2,000 square feet, see Sec. 70-133 (d)(9) for details)
4. Architectural Review Board (ARB) approval (required for new buildings and additions prior to Plan Commission review)- Application attached
5. Submittal of application and supporting documents to the plan commission (see list and attached documents for further details)
 - ☐ 15 full scale site & building elevation plans
 - ☐ 15 full scale copies of the landscaping plans
 - ☐ 15 full scale copies of the lighting plans
 - ☐ 2 full scale copies of the grading & drainage plans
 - ☐ Digital file of all plans
 - ☐ 15 copies of a plan of operation write up
 - ☐ Groundwater study, if applicable (see Chapter 59)
 - ☐ Legal description of property
 - ☐ Site & building plan review fee
 - ☐ Letter of credit, if required
 - ☐ Escrow deposit, if required
6. Plan Commission review
7. Pre-construction meeting with village staff

Application

Site, Building and Plan of Operation

Property Owner

Name Washington County

Company Name N/A

Address Attn: John Schrader, Radio Systems Administrator, 432 East Washington Street

City West Bend State WI Zip 53095

Phone 262-355-6347 Fax

Email Address john.schrader@co.washington.wi.us

Applicant/Agent Representing the Owner

Name Chris Barton

Company Name NTP Wireless

Address 4619 N Ravenswood, Suite 301

City Chicago State IL Zip 60640

Phone 773-275-5712 ext 180 Fax 773-275-5713

Email Address chris.barton@ntpwireless.com

Property Location 1101 State Hwy 164- Richfield Volunteer Fire Co property (tower in rear of parcel)

Tax Key Number(s) V10 0785 00A

Current Zoning of Parcel General Purpose Overlay District

Parcel size Cannot determine acres

Anticipated Date of Construction February 2013

Assessed Value of the Project and Land Totals Cannot determine

Percent of Land Used for Building(s) and Parking Cannot determine

Please state the reason and purpose of intent for the requested review and how your request complements the geography of the site, uses within the surround area, and conforms to all zoning ordinances, site review standards and the comprehensive master plan.

The proposed scope of work for AT&T Mobility's equipment upgrade at this site is for the addition of three (3)

Andrew SBNH-1D6565B antennas, six (6) Ericsson RRU-11 remote radio units, one (1) fiber bundle, one (1) Raycap

DC6-48-60-0-8F to the tower will have minimal visual impact and will allow AT&T Mobility to provide better service

to its customers in the area in the immediate vicinity of the site. The equipment will be installed at the same

168' height as the existing equipment.

Application

Architectural Review Board

Architectural Review Board approval is required for all additions and new buildings located in commercial, industrial, park & recreation, walkable hamlet, multi-family, and institutional zoning districts. If the project described in the site, building and plan of operation application does not apply to these areas, this section of the application process can be bypassed. Architectural approval is part of the site, building and plan of operation approval process. Approval must be granted by the Architectural Review Board prior to Plan Commission review. The Architectural Review Board meets on the third Wednesday of every month. See the Planning and Zoning Administrator regarding application submission deadlines.

In addition to the below application, Architectural Review Board Applications must include the following supporting documents:

- ☐ Architectural scale, view direction, and floor identifier
- ☐ Height dimensions and maximum height
- ☐ Floor plan dimensions
- ☐ A table, chart or schedule of exterior building materials and colors
- ☐ Exterior building and/or roof mounted lighting fixtures, utilities and equipment
- ☐ Samples of building materials

Project Description

N/A

Type of Building Materials (Bring Sample to Meeting)

Building Colors

Affidavit

I (we), being first duly sworn, attest that I am (we are) the Owner(s) of the property which is the subject of this application in the Village of Richfield, Washington County, Wisconsin, and that all the information attached to or provided in support of said application, including sketches, data, and any other documents and material, are honest and true to the best of my (our) knowledge.

Further, I (we) as Owner(s) acknowledge and accept the responsibility for any and all fees charged or costs incurred by the Village of Richfield to carry out the processing and review of this application; I (we) further acknowledge and understand that I (we) will be required to start an escrow account to which all processing and review cost will be charged; I (we) further acknowledge that in the event that the initial fee is not sufficient to cover all the costs associated with processing and reviewing the application I (we) will be required to provide the Village of Richfield an additional deposit; I (we) further acknowledge that the balance of any remaining fees shall be refunded within a reasonable amount of time after this application has been processed or withdrawn;

Further I (we) as Owner(s) of the subject property authorize and direct the Authorized Agent(s) identified above to act as my (our) representative(s) in any matter regarding this application, which may include the payment of filing fees on my (our) behalf;

Further I (we) as Owner(s) of the property subject of this application and Authorized Agent(s) understand that this application and all required forms and information must be completed and accurate, as determined by the Planning and Zoning Administrator for the Village of Richfield, before a meeting and/or public hearing (if required) can be scheduled.

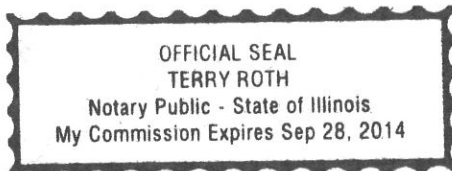
Name of Owner(s) Washington County
Signature of Owner(s) [Signature]
Name of Agent(s) Chris Barton

The foregoing instrument was sworn to and acknowledged before me

this 2nd day of October, 2012.

Notary Signature [Signature]

Commission Expires 09-28-2014



Planner

From: John.Schrader@co.washington.wi.us
Sent: Monday, October 08, 2012 9:27 AM
To: Planner
Subject: Fw: Re:WI1155.AT&T Proposed Equipment Upgrade to Existing Installation at Richfield Vol Fire Co.LTE.09.11.12

For your records please see correspondence >

John Schrader
Radio Systems Administrator- COML/COMT
Washington County Sheriff's Department
500 N. Schmidt Rd
West Bend, WI 53095
Desk 262-335-4306
Cell 262-355-6347
Fax 262-335-4429

www.washingtoncountysheriffwi.org

----- Forwarded by John Schrader/Washington County on 10/08/2012 09:25 AM -----

John Schrader/Washington County

09/11/2012 02:24 PM

To "Chris Barton" <chris.barton@ntpwireless.com>

cc "john.schrader@co.washington.wi.us" <john.schrader@co.washington.wi.us>, "dan@neusbuilders.com" <dan@neusbuilders.com>

Subject Re:WI1155.AT&T Proposed Equipment Upgrade to Existing Installation at Richfield Vol Fire Co.LTE.09.11.12

Chris,

I have reviewed the scope of work as well as the structurals and contract between ATT and Washington County. You have permission to proceed as planned.

Please have Magtech call me when they are on site so we can alert our deputies that they have permission. All of our sites are under surveillance for unauthorized personnel.

For future reference, Richfield Fire owns the property and leases the ground space and Washington County owns the Tower.

Please send copies of your final documents when they are available.

John Schrader

Radio Systems Administrator Washington County Sheriff 262-355-6347

Chris Barton --- WI1155.AT&T Proposed Equipment Upgrade to Existing Installation at Richfield Vol Fire Co.LTE.09.11.12 ---

From: Chris Barton

To: john.schrader@co.washington.wi.us, dan@neusbuilders.com

Date: Tue, Sep 11, 2012 10:56 AM

Subject: WI1155.AT&T Proposed Equipment Upgrade to Existing Installation at Richfield Vol Fire Co.LTE.09.11.12